

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DEMARCO PRYOR-MCCOVERY,

Plaintiff,

v.

Civil Action No. 21-cv-10460
HONORABLE MARK A. GOLDSMITH

TREY LEACH, et. al.,

Defendant(s).

_____ /

OPINION AND ORDER OF SUMMARY DISMISSAL

Before the court is Plaintiff DeMarco Pryor-McCovery's pro se civil rights complaint filed pursuant to 42 U.S.C. §§ 1981 and 1983. Plaintiff is an inmate currently confined at the Saginaw Correctional Facility in Freeland, Michigan. On March 18, 2021, Magistrate Judge R. Steven Whalen signed an order directing plaintiff to provide three additional copies of his complaint in order to effect proper service upon the defendants. Plaintiff was given thirty days to respond to the order. To date, plaintiff has not complied with the Court's order.

An inmate bringing a civil rights complaint must specifically identify each defendant against whom relief is sought, and must give each defendant notice of the action by serving upon him or her a summons and copy of the complaint. Feliciano v. DuBois, 846 F. Supp. 1033, 1048 (D. Mass. 1994). Where a plaintiff is proceeding in forma pauperis, the district court must bear the responsibility for issuing the plaintiff's process to a United States Marshal's Office, who must effect service upon the defendants once the plaintiff has properly identified the defendants in the complaint. Williams v. McLemore, 10 F. App'x 241, 243 (6th Cir. 2001); Byrd v. Stone, 94 F.3d 217, 219 (6th Cir. 1996); Fed. R. Civ. P. 4(c)(2); 28 U.S.C. § 1915(d).

The Court will dismiss the complaint for want of prosecution, because of plaintiff's failure to comply with Magistrate Judge Whalen's order by failing to provide the requested copies needed to effect service upon the defendants. See Erby v. Kula, 113 F. App'x 74, 75-6 (6th Cir. 2004); Davis v. United States, 73 F. App'x 804, 805 (6th Cir. 2003).

ORDER

IT IS HEREBY ORDERED that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE** to Plaintiff re-filing a new complaint in this matter.

SO ORDERED.

Dated: June 15, 2021
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 15, 2021.

s/Karri Sandusky
Case Manager